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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,531	08/07/2006	Fritz Hohl	291462US8X PCT	9563
22850	7590	09/05/2008	EXAMINER	
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			MAPA, MICHAEL Y	
			ART UNIT	PAPER NUMBER
			2617	
			NOTIFICATION DATE	DELIVERY MODE
			09/05/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/588,531	Applicant(s) HOHL ET AL.	
	Examiner Michael Mapa	Art Unit 4113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-17 is/are allowed.
- 6) ☒ Claim(s) 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/07/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 08/07/06 has been considered by the examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palin et al. (US Patent Publication 2004/0266347 herein after referenced as Palin.) in view of Amin et al. (US Patent 6630883 herein after referenced as Amin.)

Regarding claim 18, Palin discloses a method and system for establishing short-range service sessions wherein Palin discloses having a user select one or more short-range service selection options during preconfiguration [Paragraph [0088] of Palin] and wherein after making the selection, the user preconfigures the device by activation a preconfiguration button [Paragraph [0106] of Palin] which reads on claimed "user interaction and control means for controlling a registration process;" Palin fails to explicitly recite the claimed "user interaction and control means for controlling a authentication process;" However it is obvious to one of ordinary skill in the art to

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modify the invention of Palin to include a user interaction during the authentication process as taught by Amin.

In a similar field of endeavor, Amin discloses having two kinds of registration processes between a mobile station and private base station wherein the bases station will not accept the attempt to register of the mobile station unless the primary user of the base station directs the base station to do so by pressing a registration button on the base station [Column 9, Lines 60-67 & Column 10, Lines 1-5 of Amin] which reads on claimed "user interaction and control means for controlling a registration and authentication process;"

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method as taught by Palin to incorporate user interaction as can be seen in Amin for the purpose of preventing fraudulent registration. [Column 10, Lines 1-2 of Amin]

The combination also discloses the user determining the coverage area of a remote device by making an inquiry of nearby devices and learning of the remote device by its identifier received through the inquiry process [Paragraph [0118] of Palin] which reads on claimed "processing means for determining a nearest wireless node in an environment of a wireless communication device being authorized to register the device to the network by evaluating wirelessly received response messages from the nodes." The combination continues to disclose having authentication procedures wherein the mobile device user sends an SMS message containing a predetermined keyword to an operator service number and wherein the user is informed of the operator-service

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number through audio and/or visual indications when the user enters the service area [Paragraph [0120] of Palin] which reads on claimed "signaling means for audio-visually signaling the information to authenticate an identity of the wireless communication device." The combination also discloses the wireless communication device (WCD) and the remote device engaging in an authentication process when certain security features are desired. And wherein during the authentication, the WCD and the remote device verify that they both have the same secret key which can be used to effect the security features such as link encryption [Paragraph [0079] of Palin] which reads on claimed "decryption means for decrypting information wirelessly received from, audio-visually signaled, and encrypted by the authorized wireless node by a secret key that is known to both the wireless communication device and the authorized wireless node;" The examiner maintains that although the combination does not explicitly recite the claimed "decryption means for decrypting information wirelessly received from, audio-visually signaled, and encrypted by the authorized wireless node". It is well within the scope for one of ordinary skill in the art to recognize that a decryption is initiated for any encrypted information before it can be recognized.

Allowable Subject Matter

4. Claims 10-17 are allowed.
5. The following is an examiners statement for reasons for allowance:

The applicants independent claim 10 discloses, *inter alia*, a method for registering and authenticating a wireless communication device with a wireless ad-hoc network that comprises wirelessly transmitting a request message from a requesting device to a node authorized to register the device to the network, detecting other nodes closest to the requesting device, sending out voting messages to the detected nodes to ensure that only the requesting device can register at the detected nodes for a preprogrammed time interval, authenticating the requesting device towards a user by playing an audio-visual signal, authenticating the authorized node towards the user by playing an audio-visual signal, allowing the registration if the user determines that both audio-visual signals from the requesting device and authorized node are using the ones the user intended to use and wirelessly transmitting a registration accepted message from the authorized node to the requesting device.

The closest prior art of record, Palin et al. (US 2004/0266347) discloses transmitting a registration request, detecting other nodes close to the wireless communication device, having an audio and or visual signal as part of the authentication process, as well as disclosing user interaction during the registration process. However, Palin differs from the claimed invention by not teaching sending out voting messages to the detected nodes to ensure that only the requesting device can register at nodes in the environment for a preprogrammed time interval. Applicant's claim 10, comprise a particular combination which is neither taught nor suggested by the prior art.

6. Accordingly, Applicant's claims are allowed for these reasons.

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7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Mapa whose telephone number is (571)270-5540. The examiner can normally be reached on MONDAY TO THURSDAY 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jefferey Harold can be reached on (571)272-7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Mapa/
Examiner, Art Unit 4113
/Jefferey F Harold/
Supervisory Patent Examiner, Art Unit 4113